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10 ATTORNEYS FOR STATECO INC. DBA
11 STATECO INSURANCE SERVICES AND
12 THOMAS NATOLI

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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA

17 M. DIANE KOKEN, Insurance Commissioner of the
18 Commonwealth of Pennsylvania, acting in her
19 official capacity as Statutory Liquidator of Legion
20 Insurance Company and Villanova Insurance
21 Company,

22 No. C 05 3007

23 STIPULATION FOR
24 INTRADISTRICT VENUE
25 TRANSFER

26 Plaintiff,

27 vs.

28 STATECO INC. dba STATECO INSURANCE
SERVICES and THOMAS NATOLI, and XYZ
CORPS. 1-10, and DOES 1 through 10, Inclusive,

Defendants.

19 Defendants Stateco Inc. dba Stateco Insurance Services (“Stateco”) and Thomas Natoli
20 (“Natoli”) (collectively the “Defendants”), and Plaintiff M. Diane Koken, Insurance Commissioner
21 of the Commonwealth of Pennsylvania, acting in her official capacity as Statutory Liquidator of
22 Legion Insurance Company and Villanova Insurance Company (“Plaintiff”), by and through their
23 undersigned counsel, do hereby stipulate as follows:

24 1. WHEREAS Plaintiff is a resident of Pennsylvania; and
25 2. WHEREAS Defendant Stateco is a California corporation with its principal place of
26 business in San Jose, California; and
27 3. Defendant Natoli is a resident of San Jose, California; and

1 4. WHEREAS the Complaint filed by Plaintiff alleges (1) the breach of a contract
2 which was entered into by Defendants in San Jose, California; (2) the breach of fiduciary duties and
3 negligence, the actions toward which breach, if any, would have been performed in San Jose,
4 California; (3) alter ego and conversion against a defendant who resides in San Jose, California; and
5 (4) an accounting of records kept by the Defendants in San Jose, California; and

6 5. WHEREAS the Northern District of California Civil Local Rules ("CLR"s) at 3-2(e)
7 require that, except for Intellectual Property Actions, Securities Class Actions, and certain Prisoner
8 Petitions, all civil actions which arise in Santa Clara County *shall* be assigned to the San Jose
9 Division; and

10 6. WHEREAS CLR 3-2(f) allows a judge to transfer an action to a different division
11 within the district whenever the judge finds that a civil action has not been assigned to the proper
12 division within the district in accordance with the Civil Local Rules, or that the convenience of the
13 parties and witnesses and the interests of justice will be served by such transfer; and

14 7. WHEREAS, in accordance with the facts set forth in the complaint and the Civil
15 Local Rules, venue is proper in the Northern District of California, San Jose Division;
16 IT IS HEREBY PROPOSED AND STIPULATED THAT:

17 A. Venue shall be transferred in the above-captioned matter from the Northern District of
18 California, San Francisco Division, to the Northern District of California, San Jose Division.
19 B. To avoid confusion, Defendants shall wait ten days after entry of this venue transfer order
20 before filing their responsive pleading in the Northern District of California San Jose
21 Division, to allow time for the San Francisco Division to effectuate the transfer.

[Signature Page Follows]

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1 IT IS SO STIPULATED.

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3 Dated: September 21, 2005

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BERLINER COHEN

By FRANK R. UBHAUS

LAURA PALAZZOLO

Specially appearing for STATECO INC.

DBA STATECO INSURANCE

SERVICES AND THOMAS NATOLI

Dated: September 21, 2005

WOLF, BLOCK, SCHORR AND SOLIS-COHEN, LLP

By Anthony R. Twardowski
ANTHONY R. TWARDOWSKI
Attorneys for M. DIANE KOKEN

IT IS SO ORDERED.

Dated: October 11, 2005

